
SENATE BILL No. 307

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-328.3; IC 16-41-7.

Synopsis: Duty to warn about sexually transmitted diseases. Provides that a person who knows that the person carries specified sexually transmitted diseases and who recklessly fails to warn the person's sexual partners of the status commits a Class B misdemeanor. Requires a physician who diagnoses, treats, or counsels a person who is a carrier of a sexually transmitted disease to inform the patient of the patient's duty to warn the person's sexual partners.

Effective: July 1, 2003.

Miller

January 15, 2003, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 307

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-328.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2003]: **Sec. 328.3. "Sexually transmitted**
4 **disease", for purposes of IC 16-41-7-1.5, includes the diseases set**
5 **forth in IC 16-41-7-1.5(b).**

6 SECTION 2. IC 16-41-7-1.5 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2003]: **Sec. 1.5. (a) As used in this section, "person at risk" refers**
9 **to:**

10 (1) **past and present sexual partners who may have engaged**
11 **in; or**

12 (2) **sexual partners before engaging in;**
13 **sexual contact that has been demonstrated epidemiologically to**
14 **transmit a sexually transmitted disease.**

15 (b) **As used in this section, "sexually transmitted disease"**
16 **includes the following diseases:**

17 (1) **Syphilis.**



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(2) Genital herpes.

(3) Gonorrhea.

(4) Chlamydia.

(5) Human papillomavirus.

(c) A person who:

(1) is a carrier of a sexually transmitted disease; and

(2) knows that the person carries a sexually transmitted disease;

has a duty to warn a person at risk of the person's sexually transmitted disease status and to advise the person at risk to seek health care such as counseling and testing.

SECTION 3. IC 16-41-7-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 3.5. A licensed physician who diagnoses, treats, or counsels a patient with a sexually transmitted disease specified in section 1.5(b) of this chapter shall inform the patient of the patient's duty under section 1.5 of this chapter.**

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